



The Extended Producer Responsibility (EPR) Act of 2022 as Government's Initiative against plastic wastes

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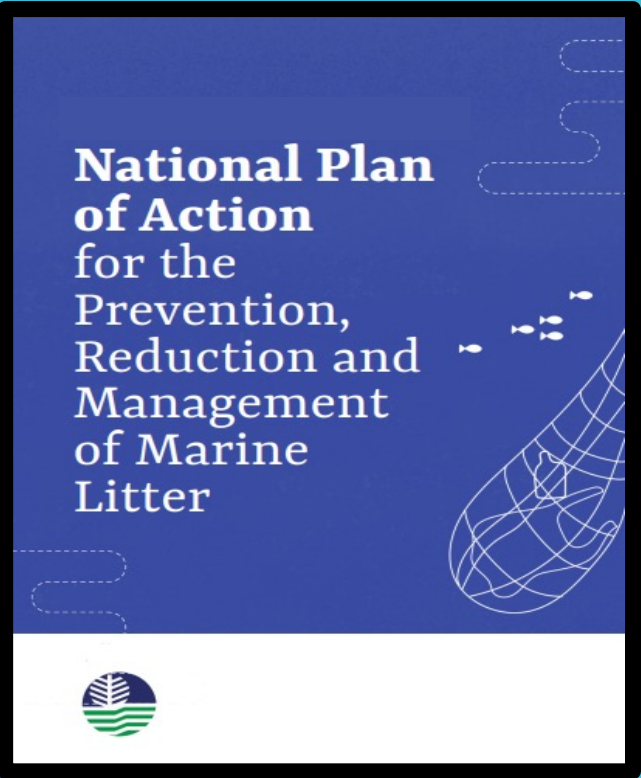
Environmental Management Bureau Central Office

Department of Environment and Natural Resources

Linear vs Circular Economy

LINEAR ECONOMY





**National Plan
of Action**
for the
Prevention,
Reduction and
Management
of Marine
Litter

- The overarching goal of the NPOA-ML is “zero waste to Philippine waters by 2040” to support the vision of “a Philippines free of marine litter through shared responsibility, accountability, and participatory governance.”
- The NPOA-ML has been clustered into programmatic cluster that consists of six-strategies of actions and enabling or cross-cutting cluster that consists of four strategies of actions addressing both the land-based and sea based pollution.
- The EPR Act is a response to Strategy 2 of the NPOA ML, Mainstreaming Circular Economy and Sustainable Consumption and Production initiatives. State the current status of implementation of NPOA ML



The Extended Producers Responsibility Act of 2022

- To adopt and institutionalize the **Extended Producer Responsibility (EPR)** mechanism as an environmental policy and practical approach to –
 - efficient waste management, **focusing on 3R**
 - **development of environment - friendly products**

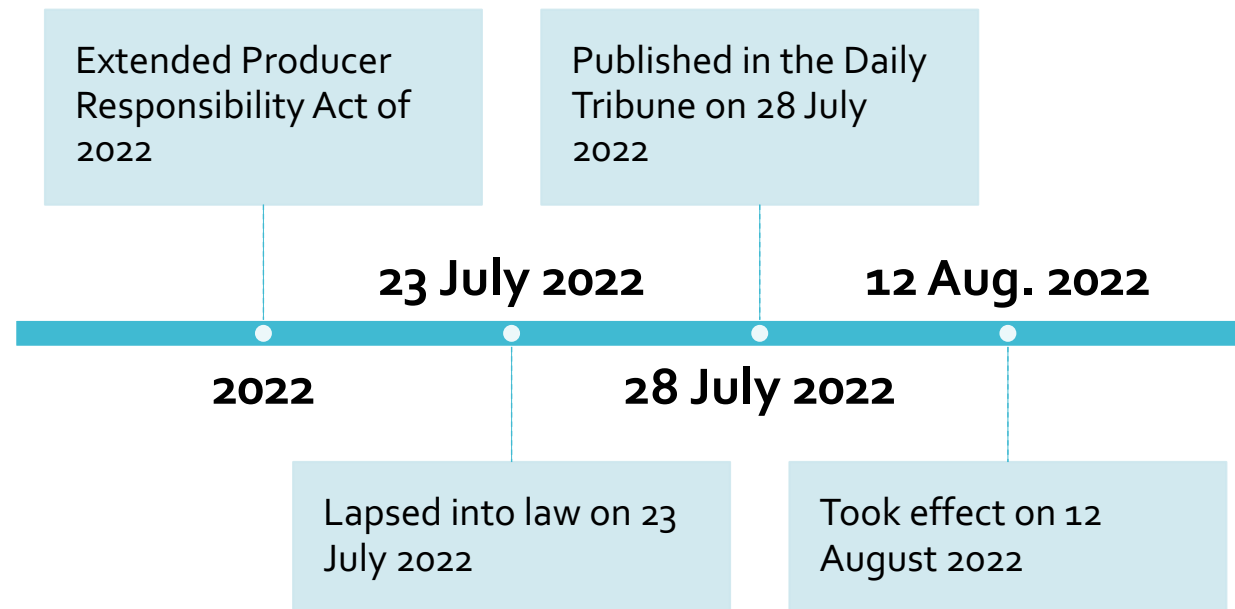
that advocate the internationally accepted principles on –

- **sustainable consumption and production**
- **circular economy**, and
- **producers' full responsibility** throughout the life cycle of their product, especially its post-consumer or end-of-life stage. [Sec. 2(k) and Sec 3, EPR Law]



The Extended Producers Responsibility Act of 2022

Obligated Enterprises shall, within six (6) months following the effectivity of the Extended Producer Responsibility Act of 2022, establish or phase-in EPR programs for plastic packaging to achieve efficient management of plastic packaging waste, reduced production, importation, supply or use of plastic packaging deemed low in reusability, recyclability or retrievability, and plastic neutrality through efficient recovery and diversion schemes.



- The Implementing Rules and Regulations was signed by the Secretary last 24 January 2023.
- It was published in Manila Times last 2 February 2023, and took effect last 17 February 2023.



Who are responsible to implement EPR?

1. **Product producers** obliged to implement EPR are the **LARGE enterprises** (any business entity whose total assets, inclusive of those arising from loans but exclusive of the land on which the particular business entity's office, plant and equipment are situated, are **exceeding** that of medium enterprises stated under RA 9501) that generate plastic packaging wastes;
2. **MSMEs** when the total value of assets of all enterprises carrying the same brand, label or trademark exceeds that of medium enterprises
3. Such other persons and entities as may be determined by the DENR Secretary



Product producers are:

- (1) **brand owner** who sells or supplies any commodity under a brand, label or identity using a product it produced, or a material supplied to it by another manufacturer, or supplier;
 - (2) **product manufacturer** whether directly or indirectly (contract manufacturing) producing their products under their brand
 - (3) **Importers of consumer goods**, intended to be sold, whether in original packaging or to be repackaged for distribution, to the general public
- In case the commodities are manufactured, assembled or processed by a product manufacturer for another obliged enterprise which affixes its own brand name, the latter shall be deemed as the manufacturer.



Enterprises not covered by EPR

General Rule:

MSMEs under RA 9501 are not covered by the EPR Law but are encouraged to practice EPR voluntarily, or be a part of the network of OEs or Producer Responsibility Organizations (PROs) practicing EPR

Exception:

MSMEs shall also be considered as OEs when the total value of assets of all enterprises carrying the same brand, label or trademark exceeds that of Medium Enterprises (currently at Php100 Million) under RA 9501.



What are the plastic packaging Covered by the EPR?



Sachets; Labels;
Laminates & other
flexible plastic
packaging products,
whether single layer
or multi-layered with
plastics or other
materials



Rigid plastic packaging
products, whether layered with
any other materials, which
include containers for
beverages, food, home,
personal care and cosmetic
products including coverings,
caps, or lids and other
necessities or promotional
items such as cutlery, plates,
drinking straws, or sticks, tarps,
signage, or labels;



Plastic bags, which include
single-use plastic bags, for
carrying or transporting of
goods, and provided or
utilized at the point of sale;
and



Polystyrene



BIO
BIODEGRADABLES

R E C Y C L A B L E S



PAPER

KITCHEN WASTE	GARDEN WASTE	BOND PAPER	CARTON BOXES	NEWSPAPERS	MAGAZINES	JUICE CARTONS	MILK CARTONS
AGRICULTURAL WASTE	LIVESTOCK WASTE	WHITE ENVELOPES	PAPER BAGS & BROWN ENVELOPES	OLD NEWSPRINT / TEXTBOOKS	PAMPHLETS	OLD NEWSPRINT / TEXTBOOKS	MILK CARTONS

PLASTICS

1 PET	2 HDPE	3 V	4 LDPE	5 PP	6 PS	7 Others
WATER / BEVERAGE BOTTLE	BEVERAGE JUGS	PVC PIPES	SQUEEZABLE BOTTLES	MICRO-WAVABLES	PLASTIC TRAYS & CUTLERY	WATER DISPENSER BOTTLES
METRIC OR PERSONAL CARE CONTAINERS	LINOLEUM	SQUEEZABLE TUBES	PAIS & CHAIRS	PACKING FOAM, STYROFOAM	CDS & OTHER OPTICAL DISCS	

GLASS

BOTTLES	FLAT GLASS	CULLETTES
FLINT/CLEAR	GREEN	CLEAR
AMBER/BROWN	COLORED	TINTED
MIRRORS	LOW E-COATED GLASS	Broken glass bottles, sorted by color
Broken flat glass, sorted by color		

METALS

ALUMINUM	COPPER	STEEL	TIN
ALUMINUM CANS	COPPER TUBES	STEEL	SARDINE CANS
ALUMINUM TRAYS	COPPER WIRES	G.I. SHEETS	SOUP CANS

This chart gives representative examples and is not meant to be an exhaustive list. For more details, refer to the NSWMC website for the updated approved list of recyclables.

RESIDUALS

Recyclables not salable in local junk shops or recycling markets should be classified under "residuals with potential for recycling."

RESIDUALS with POTENTIAL FOR RECYCLING

DRY SPINAL, BACHELITE, WOODPECKER	TARPAILINS	DRINKING STRAWS	GROCERY & FOOD BAGS	LEATHER ITEMS	RAGS	SLIPPERS & RUBBER MATS
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The volume of residual waste that ends up in our landfills can be greatly reduced by treatment technologies.

RESIDUALS for DISPOSAL

CIGARETTE BUTTS	SOILED TISSUE PAPER	DIAPERS	SANITARY NAPKINS	COATED PAPER	FOOD-CONTAMINATED PAPER	HEAVILY-SOILED PLASTICS
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WACS (Waste Analysis and Characterization Study) SOLID WASTE CATEGORIES

A standardized and mandatory guide for Philippine Local Government Units and Solid Waste Management Practitioners based on the WACS Guidelines approved by the National Solid Waste Management Commission, Office of the President, Republic of the Philippines.

SPECIAL WASTE

HAZARDOUS WASTE

PAINTS & SOLVENTS	USED OILS (MOTOR OIL, COOKING OIL)	DRY CELL BATTERIES	WHITE GOODS (COOKING, WASHING, REFRIGERATION)
CLEANING CHEMICALS	HOUSEHOLD HEALTHCARE WASTE	LAPTOP GADGET BATTERIES & POWER BANKS	CONSUMER ELECTRONICS & TOOLS (TV, RADIOS)
PESTICIDE & HERBICIDE CONTAINERS	BUSTED LIGHTS	INDUSTRIAL & VEHICLE BATTERIES	IT/TELECOM GADGETS & PERIPHERALS

Hazardous wastes are covered under Republic Act 6969 (Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990) and its related policies, such as Department Administrative Order 2013-22. Industrial, commercial and institutional establishments that generate hazardous waste must be registered with DENR-EMB and obtain the necessary permits.

HEALTHCARE WASTE from HOSPITALS

EXPIRED PILLS & MEDICINES	SYRINGES	SURGICAL GLOVES	OLD MEDICAL DEVICES WITH MERCURY
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Healthcare waste must be properly disposed of by hospitals, clinics and other health institutions. Guidelines for their proper disposal are covered by the Healthcare Waste Management Manual published by the Department of Health.

BULKY WASTE

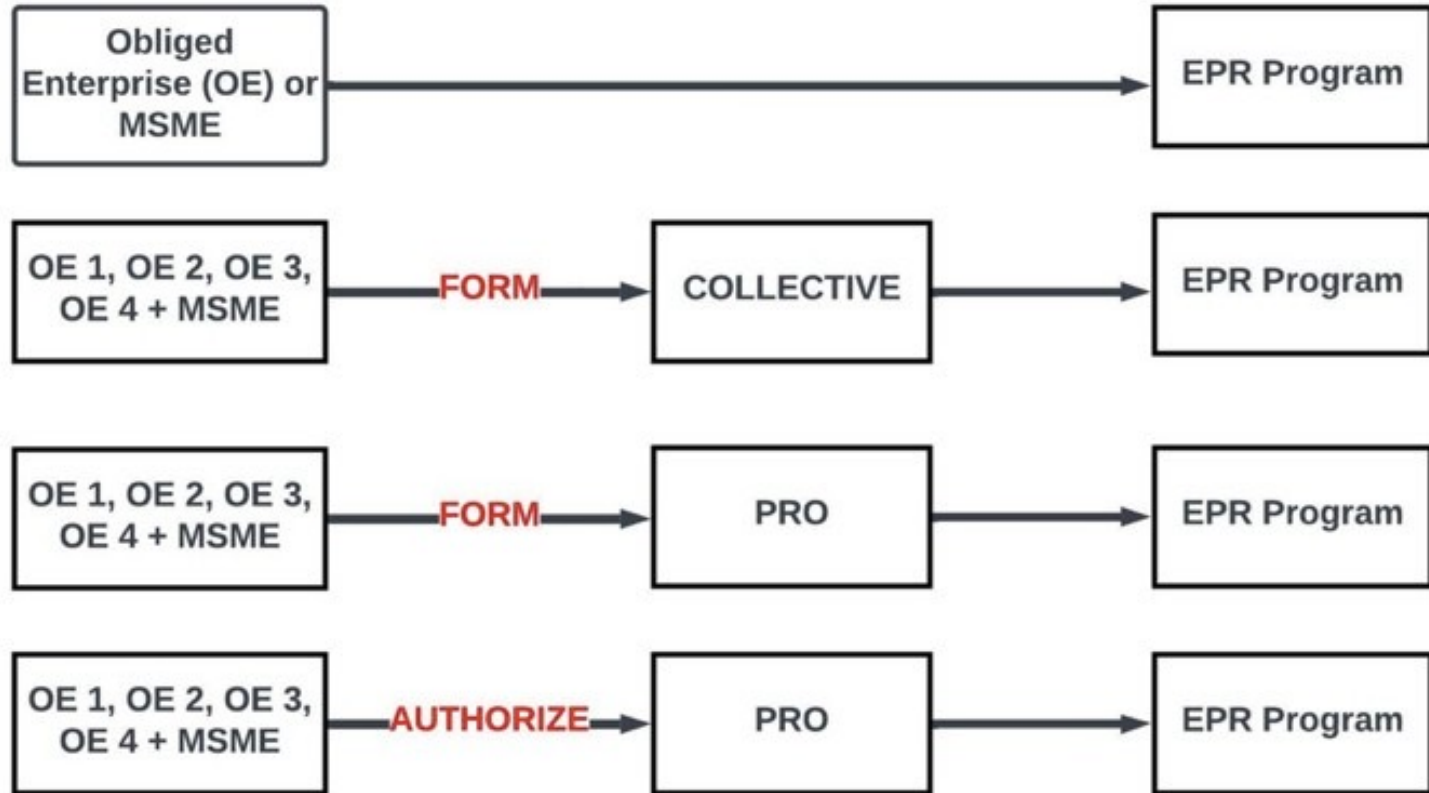
BULKY YARD WASTE	RUBBER TIRES	CONSTRUCTION DEBRIS	DEMOLITION DEBRIS
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Bulky wastes require separate hauling arrangements with the Local Government Units (for Households) or Contracted Parties (for Commercial, Industrial, and Institutional Sources.) Proper treatment or disposal of waste must be ensured.



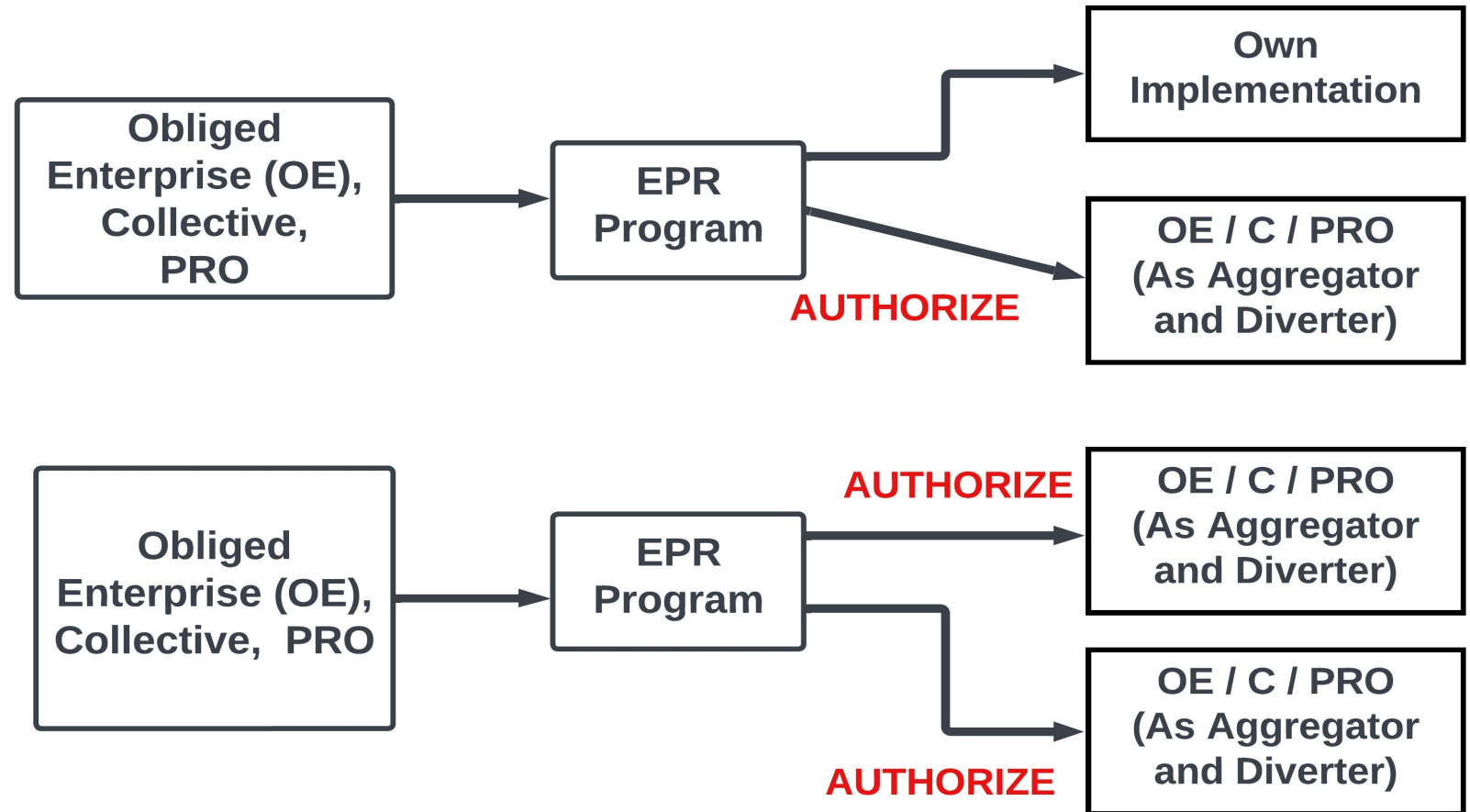
Who are responsible to implement EPR?

Modes of Compliance with the EPR Law



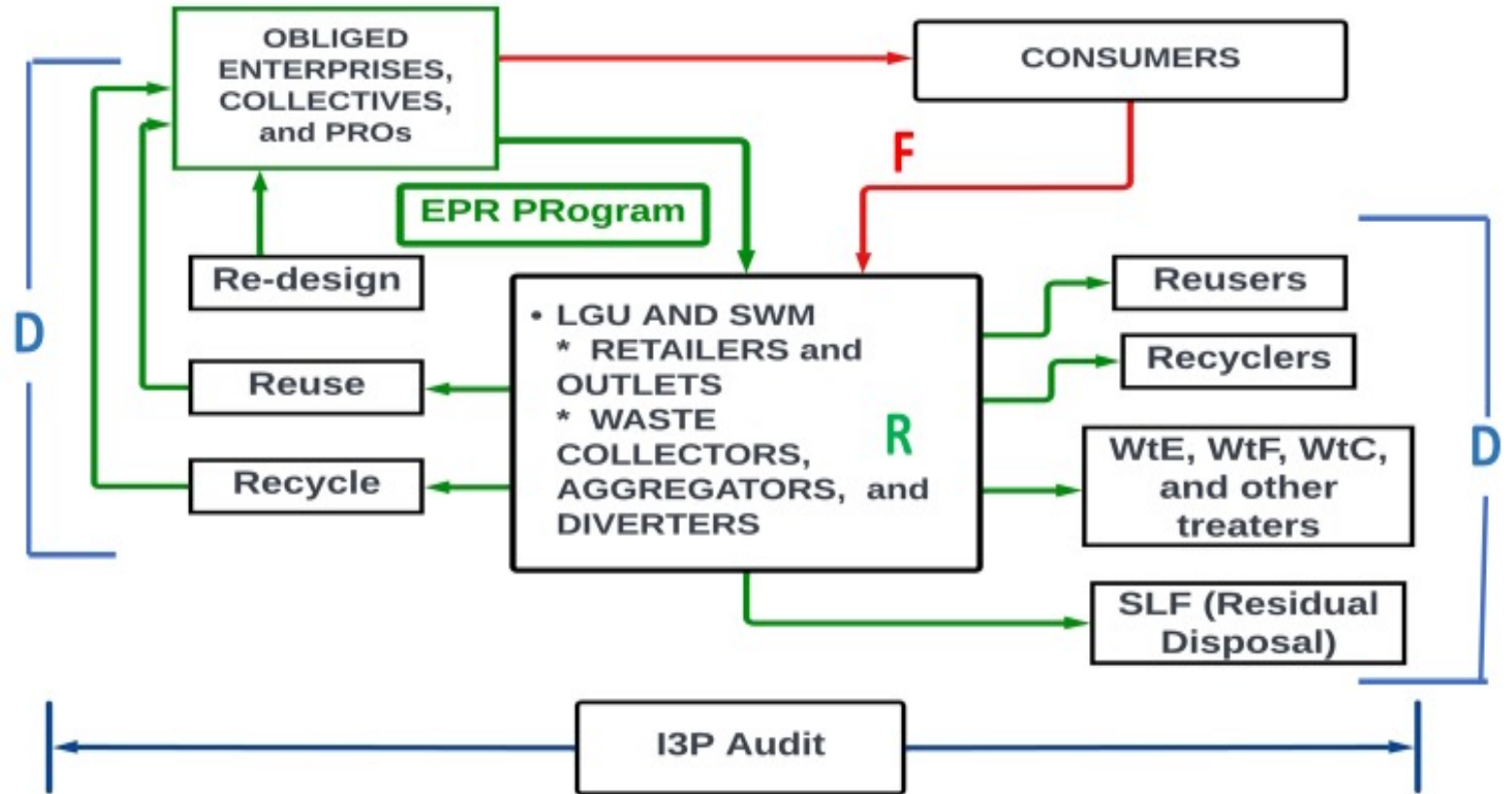
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Other Possible Iterations of Modes of Compliance with the EPR Law



Who are responsible to implement EPR?

Sample Illustration of EPR Program Flow



National Framework on Plastic Packaging Wastes

Upstream Measures

Reduction of non-environment friendly products

- (1) adoption of reusable products, or redesign of the products to improve its reusability, recyclability, or retrievability;
- (2) inclusion of recycled content or recycled materials in a product;
- (3) adoption of appropriate product refilling systems for retailers;
- (4) viable reduction rates plan;
- (5) information and education campaign schemes; and
- (6) appropriate labeling of products, including the information thereon for the proper disposal of the waste product.



National Framework on Plastic Packaging Wastes

Downstream Measures

Product waste recovery programs aimed at effectively preventing waste from leaking to the environment

- (1) waste recovery schemes through redemption, buy-back, offsetting, or any method or strategy that will efficiently result in the high retrievability, high recyclability, and resource recovery of waste products;
- (2) diversion of recovered waste into value chains and value-adding useful products through recycling and other sustainable methods;
- (3) transportation of recovered waste to the appropriate composting, recycling, or other diversion or disposal site in the country;
- (4) clean-up of waste leaked to coastal areas, public roads, and other sites;
- (5) establishment of commercial or industrial scale recycling, composting, thermal treatment, and other waste diversion or disposal facilities for waste products, when investment therein is viable; and
- (6) partnership with LGUs, communities, and the informal waste sectors.



PLASTIC NEUTRALITY TARGETS

Period Ending	Compliance Target
December 31, 2023	Twenty Percent (20%)
December 31, 2024	Forty Percent (40%)
December 31, 2025	Fifty Percent (50%)
December 31, 2026	Sixty Percent (60%)
December 31, 2027	Seventy Percent (70%)
And December 31, 2028, and every year thereafter	Eighty Percent (80%)



COMPONENTS OF EPR PROGRAM

Components of the EPR Program

Section 16.3, EPR IRR:

1) Specific type of plastic packaging materials and product brands (*Disclosure of volume not required*); SAMPLE Matrices for Section 16.3.1

Shampoo & Conditioner

<i>Brands</i>	<i>Flexible Plastic Packaging</i>	<i>Rigid Plastic Packaging</i>
<i>Brand 1</i> <i>Brand 2</i>	<i>Sachets</i>	<i>Bottles, caps, dispenser pumps, tarpaulins, signages, and labels</i>

Biscuits, Cookies, Confectionaries:

<i>Brands</i>	<i>Flexible Plastic Packaging</i>	<i>Rigid Plastic Packaging</i>	<i>Other Packaging materials used for the products *</i>
<i>Brand 1</i> <i>Brand 2</i> <i>Brand 3</i> <i>Brand 4</i>	<i>Sachets, laminates, and other flexible plastic packaging</i>	<i>Boxes, cups, covers, clamshells, blisters, line trays, promotional materials: display trays, tarpaulins, signages, and labels</i>	<i>Paper</i> <i>Carton</i> <i>Aluminum cans</i>



COMPONENTS OF EPR PROGRAM

2. Verifiable volume or weight of the plastic packaging brought into the market within a specified period (**plastic footprint**);

3. Target volume or weight of plastic packaging waste for recovery, reuse, and recycling; (**Waste Diversion Target**)

4. Other EPR programs, such as the redesign of plastic packaging to improve reuse or recyclability; (adds to Waste Diversion Accomplishment)

5. Labelling of packaging materials involves the initial disclosure of compliance with prevailing applicable national rules and regulations.

6. Status of Implementation

7. Status of Compliance



COMPONENTS OF EPR PROGRAM

Waste Type (All product brands and variants)	Aggregate Volume/ Weight (kg) (Footprint)	Mandatory or Committed Waste Diversion Target		Voluntary Waste Diversion Target	
		Aggregate Volume/ Weight (kg)	Percentage to Footprint (%)	Aggregate Volume/ Weight (kg)	% Footprint
Flexible Plastic Packaging and other necessities and promotional materials					
Rigids Plastic Packaging and other necessities and promotional materials					
Other Types of Product Waste, such as paper, cartons, cans, glass bottles (Voluntary)					



Some important things to note:

Non-registration is one of the offenses under the law. Pollution Adjudication Board will now have the jurisdiction for imposing fines and penalties for plastic pollution cases

Follow the Brand (Plastic Footprint);

However, offsetting is not brand specific, but class specific.

EPR Act of 2022 covers plastic packaging waste, regardless of content.

Components of the EPR Program as provided under the law and IRR

Geographical Implementation and Roll out Plan under Status of Implementation

Compliance Target for 2023 (phase in period) is 20% of **self-determined** plastic generated footprint

Plastic Neutrality does not end with recovery/collection; Waste diversion methods and products should be indicated as a required disclosure





Thank you!

For further inquiries, please visit
our website at www.emb.gov.ph
or email us at epr@emb.gov.ph

